

MILFORD PLANNING BOARD PUBLIC HEARING  
April 21, 2015 Board of Selectmen's Meeting Room, 6:30 PM

**Members Present:**

Christopher Beer, Chairman  
Paul Amato  
Kathy Bauer  
Steve Duncanson  
Janet Langdell  
Judy Plant  
Tim Finan, Alternate member  
Susan Robinson, Alternate member

**Staff:**

Jodie Levandowski, Town Planner  
Shirley Wilson, Recording Secretary  
David Bosquet, Videographer

**Excused:**

Tom Sloan

**Perspective members present:**

Jacob Lafontaine  
Veerah Bharucha

**MINUTES:**

1. Approval of minutes from the 3/17/15 meeting.

**OTHER BUSINESS:**

2. Election of Officers
3. Pipeline Task Force Update

**NEW BUSINESS:**

4. Good Mojo Dog Center, LLC along with Goldendroz Corp – Elm St – Map 15, Lot 16: Public Hearing for a site plan amendment for a change of use to retail services for dog care; and a waiver request from Milford Development Regulations, Article V, Section 5.03 *Submittal Requirements*.  
(*New application – Monadnock Survey, Inc.*)

**OLD BUSINESS:**

San-Ken Properties, LLC, et al – Mile Slip, Wolfer and Boynton Hill Roads – Map 45, Lots 3, 17, 18 and Map 40, Lot 104-4; Major subdivision involving multiple lot line adjustments for fifty-two (52) new residential lots, two (2) existing lots and two (2) open space lots; (*Tabled from 3/17/15*) and A Public Hearing for a waiver requests from Milford Development Regulations, Article V, Section 5.017 *Phasing* and a waiver request from Article VII, Section 7.02 *Roadway Standards Charts* to allow a public temporary dead-end road longer than the allowed maximum road length.

Chairman Beer called the meeting to order at 6:30PM. He introduced the Board and staff and explained the ground rules for the public hearing. Tim Finan, alternate member was called to sit.

**MINUTES:**

C. Beer submitted a correction to page 2. S. Duncanson made a motion to approve the minutes from the 3/17/15 meeting, as amended. K. Bauer seconded with P. Amato abstaining and all else in favor.

**OTHER BUSINESS:**

**Election of Officers**

J. Langdell made a motion to nominate Christopher Beer as chairman. P. Amato seconded and all in favor. C. Beer accepted the position. P. Amato made a motion to nominate S. Duncanson as vice-chair. S. Duncanson declined. P. Amato made a motion to nominate Janet Langdell as vice-chair. K. Bauer seconded and all in favor. J. Langdell accepted the position.

**Pipeline Task Force Update**

S. Duncanson, chairperson of the committee, gave an update. We've been meeting every Wednesday for the past two months and our meetings are open to the public, as well as televised and the minutes are on the town website. The task force committee's charge was to study the impact from the Kinder-Morgan gas line that will go through 3.1 miles of Milford and to determine if there is any economic value. We are planning on submitting a letter of recommendation to the Selectmen by the end of May. We currently have two draft chapters of the document that will outline the committee's response. The committee has discussed alternative locations but that was not part of our charge. We are waiting for Amherst who is making a big change that will affect us greatly.

J. Langdell added that Milford is not doing this in a vacuum either; there is a lot of input happening. Mark Bender is part of a regional group of town administrators from thirteen towns in the area and a member of a task force including those same towns through NRPC. S. Duncanson noted that New Ipswich is the only regional town not participating and that is where the substation will be located. He also noted that there is major opposition from residents at the Federal Point subdivision; they won't even let us or surveyors walk on their property.

K. Bauer said a lot of opposition and questions come up, so what is the benefit to Milford. S. Duncanson answered that the only benefit the committee has seen to this date is that the town will receive \$426,000 in taxes annually, based on the assessment of the 36" pipe. That amount will go down over time and a 30" pipe will bring less revenue. There will be no spigot, as people hoped.

T. Finan inquired if individual property values will decrease, which will offset the \$400,000. S. Duncanson said that has been brought up numerous times and one committee member is looking into that at the state level.

**NEW BUSINESS:**

Good Mojo Dog Center, LLC along with Goldendroz Corp – Elm St – Map 15, Lot 16: Public Hearing for a site plan amendment for a change of use to retail services for dog care; and a waiver request from Milford Development Regulations, Article V, Section 5.03 *Submittal Requirements*.

*No abutters were present.*

Chairman Beer recognized:

Dawn Tuomala, Monadnock Survey, Inc.  
Denise Johnson, Good Mojo Dog Center

Chairman Beer read the notice of hearing. J. Levandowski verified that the application was complete. J. Langdell made a motion that this application did not pose potential regional impact. K. Bauer seconded with all in favor. S. Wilson read the abutters list into the record. J. Langdell made a motion to accept the application. S. Duncanson seconded and all in favor.

D. Tuomala presented and distributed plans dated 4/21/15. The applicant would like to move the existing operation from Emerson Rd to this site, into the two-story brick Tucker-Hopkins house, on Elm St. The only changes being proposed to the site are to move the existing shed out of the 100 year floodplain and to add a chain-link fence around the exterior, sandy dog area. Plan revisions were based on staff comments and recommendations.

- The dumpster will be screened.
- The fifteen (15) proposed parking spaces and one (1) handicapped space will be sufficient to carry on the present operations, as drop-offs are staggered. The parking space dimensions are 9x18 and meet all regulations.
- We are proposing a new ramp for handicap access to the building.
- The old tractor trailer truck is not shown on the plan because it will be removed and taken off site, as part of the P & S.
- The square footage of the structure's footprint is now shown on the plan.
- Details have been added for the chain-link fence.
- The buffer for Tucker Brook has been changed to 50'.
- Note 7; the language was revised.
- Note 9; the language has been revised.
- Notes added;
  - #13 details the existing and proposed open space calculations.
  - #14 clarifies the surface of the dog play area.
  - #15 adds language pertaining to future change of use.
  - #16 references the approved ZBA variance 2015-04.
  - #17 will be amended to reflect the waiver approval.
  - #18 states that the parking area will be restriped.
  - #19 adds specifics for the West Elm Street Gateway District and there is also a general reference, in #5.
  - #20 pertains to ADA compliance.
  - #21 clarifies the treatment of pet waste disposal and details the waste disposal policy as currently used at Emerson Rd.

K. Bauer inquired about how to keep the dogs from digging under the fencing. D. Johnson explained the construction of the fence that has a bottom rail. Our first line of defense is supervision; it is company and employee policy that dogs are not allowed outside without an employee being present so there are no opportunities to do so. K. Bauer asked if there would be any renovations to the exterior of the house. D. Johnson replied that our only plan is to update and replace the trim. We want to preserve the historical nature which is why we placed the entrance in the back. We will keep both historical signs on the house.

D. Tuomala brought forward the waiver request to not submit an actual landscaping plan with a plantings table. The existing landscaping is shown and there will only be minor exterior changes. The four large pine trees in the rear are to be removed and the pavement on the west side of the house will be replaced with the fenced dog play area. That, along with the relocated shed, will create a visual buffer to screen the dumpster and the regulations do include fences. She then provided pictures of the area that were taken this morning showing the existing conditions.

K. Bauer said she understands the drawbacks of those pine trees but they enhance the property and provide shade; she would be sorry to see them go. D. Johnson replied that two of the trees are making contact with the building and are not stable. Also, we will be fencing in that area and dogs would be relieving themselves on the trees. From a health perspective, pine needles make dogs ill and it would be a challenge to keep the dogs away.

J. Langdell asked if the plan met the regulations without the trees. J. Levandowski said that most of our regulations address the building frontage and parking area, so technically yes it would, but maybe the applicant could plant one or two smaller ornamental trees elsewhere on the property. S. Duncanson noted that removing only two of the trees would leave the others unstable and recommended that all four pine trees be removed from a safety standpoint. He also agreed with adding some additional trees in front. P. Amato noted that type of pine

tree is not usually a preference in our landscaping requirements and those bull pines don't really add any character. This property has been on the market for many, many years and it's wonderful that the applicant has taken on this project and will clean up and fix the house. D. Johnson said there will be a gazebo to provide shade for the dog play area and she would be happy to plant trees outside the fence. K. Bauer stated that this is a beautiful house and plantings of the correct kind will add a lot to the aesthetics of the property. J. Langdell said she is more concerned about something happening to the pine tree in front. D. Tuomala reviewed the existing landscaping on the plan and said she could show some additional trees on the plan. J. Langdell said that could be negotiated with staff and we should make sure that the trees are compatible with New Hampshire's growing types.

P. Amato made a motion to grant the waiver from Development Regulations Article V, Section 5.03 and not require the submittal of a landscaping plan with plantings table; subject to the applicant working with staff to make the appropriate plantings. S. Duncanson seconded and all in favor.

J. Langdell inquired about the maximum capacities for the different services. D. Johnson said our staff ratio is 20 dogs per employee. We have approximately sixty (60) dogs per day during the daytime and that number goes up to eighty (80) dogs during the summer months. Overnight we typically have a maximum of twenty-five (25) dogs and over the summer we staff for two separate groups with a maximum of fifty (50) dogs. The existing apartment will be converted to useable business space. There will not be any kennels as we do cage-free boarding and we have an employee who spends the night to oversee the group situation. All dogs have to be screened, pass a temperament test and meet all requirements prior to boarding.

S. Duncanson brought up several reports about a situation with a dog being left outside in a car and expressed deep concern for a helpless dog on the same property where other dogs are being cared for. D. Johnson replied that it is very much a concern of hers as well and the situation with the employee will be remedied. A brief discussion on Planning Board involvement followed.

P. Amato brought up barking and asked if this area, that is less housing dense, was a reason for moving the business. D. Johnson said that was a big factor in our property search and we want to be a good neighbor. Also, the current building is being sold. This location will have less square footage but better configuration. The amount of dog area is the same and we are not looking to increase the number of dogs. J. Langdell said this is a unique business; how do you measure for maxing out capacity for this site. D. Johnson said that is a very different number from company to company; there is no industry standard and we currently turn customers away. If we were to outgrow this facility we would just become more selective of the dogs we took. P. Amato suggested a note on the plan referencing dog capacity, for future uses. D. Johnson said she didn't know what the set-up of the interior would be just yet, so she can't really estimate but we have up to eight (8) dogs a day in grooming, a current maximum of eighty (80) dogs in daycare and ten (10) dogs per day in an enrichment/training program. A comfortable number for the new facility would be 90-100 dogs per day. S. Duncanson agreed with putting a cap and discussion about the services followed.

K. Bauer said she is not comfortable with that number of dogs in this location; 100 dogs is a lot of dogs. A discussion on staff and space capacity ensued.

Chairman Beer opened the hearing for comments or questions from the public. Seeing none, he closed the public portion of the meeting.

J. Langdell brought up the parking calculations and asked that note #10 be modified to include the 1 ADA space as required.

P. Amato made a motion to conditionally approve the application subject to; revising note #17 to include the waiver approval information, revising note #10 to include the handicapped parking, adding a note to the plan stating that the maximum number of dogs allowed on site at one time, for all services, shall be 100 dogs, and that the applicant work with staff to plant some deciduous trees, compatible with New Hampshire's growing conditions to replace the pine trees that are to be removed. S. Duncanson seconded. P. Amato, T. Finan, C. Beer, J. Langdell, J. Plant and S. Duncanson voted in the affirmative. K. Bauer voted in the negative. The motion carried by a vote of 6-1 in favor of conditional approval.

**OLD BUSINESS:**

San-Ken Properties, LLC, et al – Mile Slip, Wolfer and Boynton Hill Roads – Map 45, Lots 3, 17, 18 and Map 40, Lot 104-4; Major subdivision involving multiple lot line adjustments for fifty-two (52) new residential lots, two (2) existing lots and two (2) open space lots; and A Public Hearing for a waiver requests from Milford Development Regulations, Article V, Section 5.017 *Phasing* and a waiver request from Article VII, Section 7.02 *Roadway Standards Charts* to allow a public temporary dead-end road longer than the allowed maximum road length.

P. Amato recused himself and S. Robinson stepped up.

*Abutters present:*

*Roy Leal, Wolfer Rd*

*David & Deborah Greenwood, Mile Slip Rd*

*Paul Amato, Mason Rd*

*Steven & Shelley Lasalle, Mile Slip Rd*

Chairman Beer recognized:

Nathan Chamberlin, Fieldstone Land Services, PLLC

Representatives from San-Ken Homes; Ken, Kenny, & Sandy Lehtonen, and Meghan Bangs

S. Wilson read the abutters for the waiver requests into the record. J. Levandowski noted that interdepartmental reviews were based on plans dated 3/24/15 and staff has not yet reviewed the plans being presented tonight.

N. Chamberlin presented plans dated 4/14/15 and explained that this set only had minor revisions from the 3/24/15 plan set, based on CEI second review comments. We are also requesting two waivers; we'd like to phase the project in three phases; both the lot count and the temporary dead end road to facilitate the phasing. We've met with the Fire Department twice and referenced the memo dated 4/21/15 regarding more applicable NFPA standards which would permit a 22ft wide road with 2ft shoulders. The one-way connector road will go from 16ft, the current width of the driveway to 20ft wide. The roads are designed to Town standards. We would like to front load some of the lots to pay for the road construction. To facilitate that, we are asking for a waiver for a temporary, dead-end road. The plan is to build this within a year or two, after phase I, depending on market conditions. Although staff had many concerns with that, bonding and a development agreement would ensure that the road will get built and determine how the lots will be developed. The applicant is agreeable to putting that agreement together for review by town staff and their attorney. Phase I will be twenty-five (25) lots. Phase II will have seventeen (17) lots and would finalize the connection with Mile Slip Rd. Phase III will be the spur road and the twelve (12) lots associated with it. Most infrastructure and drainage for the project will be handled in phases I and II.

**Waiver for temporary road length:**

S. Duncanson brought up DPW comments and said this road is going to be 5x the length of what is allowed in our regulations. N. Chamberlin said the road from Mile Slip to where it meets Boynton Hill Rd will be less than 5,000 linear feet. The actual length of the temporary dead-end road will be 3,800 linear ft which includes the existing portion of Boynton Hill Rd and it's really not a dead-end as we will have an emergency access out to Mile Slip Rd. S. Duncanson inquired if the temporary road would be maintained by the applicant in all weather. N. Chamberlin stated that the developer is responsible for maintaining the road, all the way through, throughout the year. We could put some bollards and a chain across it with a Knox Box so that it would not be open to the public, but still allow emergency access. The phase I road will be finished to binder/base coat and could be that way for three to four years. It will be traversable by emergency vehicles.

T. Finan brought up an issue with road maintenance on Boynton Hill several years ago, prior to being accepted. J. Levandowski noted that we have a several developments with non-accepted roads where the developer maintains the roads and there have also been instances where the Town has plowed the road and billed the developer. N.

Chamberlin stated that we will be actively building and will plow the road for the residents. C. Beer asked what if the development doesn't get built out as expected. We then have 3,800ft of road, not owned by the Town, with residents living on it. I am not willing to grant this waiver without seeing a development agreement. There was consensus from the Board that this project requires a development agreement.

J. Langdell inquired when the phasing came up. N. Chamberlin replied between the design review and submission of the final application. We mentioned it at the last meeting but didn't have a plan in place.

J. Plant said she had definite concerns with the length of the road.

S. Duncanson agreed with Chris needing a development agreement.

Chairman Beer opened the hearing for comments or questions pertaining to the road length. Seeing none, he closed the public portion of the meeting.

C. Beer asked if the applicant would be agreeable with tabling the waiver request until we have a draft development agreement that addresses the issues of Board members and town departments. N. Chamberlin replied that it is our preference to move forward but will work with the Board. K. Lehtonen said that the only difference between this proposed road and a finished road is that this will be 20 ft wide and graveled versus a 22ft road that is paved. Emergency vehicles will be able to pass the entire length from Boynton Hill Rd and they can also come in from Mile Slip Rd. J. Langdell added that with a Knox box and key, it would allow public back-access in case of an emergency and the residents would not be blocked off. S. Duncanson agreed. S. Robinson said the fact that it will be straight through is a plus; however, maintenance is still a monumental concern. K. Lehtonen said we will be hiring a reputable plowing company and referenced a subdivision in New Ipswich. C. Beer said we still have to consider the possibility that in the future, you might not be the entity maintaining this road. J. Levandowski said that another concern with the gravel road is that at an 8% grade, runoff could be issue and possibly wash out the road as we have seen in other developments. Typically drainage and infrastructure are roughed in and if the applicant is willing to put that in, it would alleviate the department heads' concerns. N. Chamberlin stated that the drainage on this portion of the road is mostly sheet flow. A detention basin is primarily to mitigate the drainage from a paved road and house lots. We can make the drainage work for the gravel road with minimal grading and putting in a ditch in on the high side.

S. Duncanson made a motion to table the waiver request from Development Regulations Article VII, Section 7.02 for the temporary road length until the 5/19/15 meeting to create a draft development agreement. J. Plant seconded and all in favor.

**Waiver for lot phasing:**

J. Langdell said she didn't have a problem with the applicant reducing the phasing of 52 lots from five (5) years to three (3) years; it's the added pieces around it that are a concern. The phasing and road phasing seem to be interdependent.

S. Robinson inquired about the price range of the homes. K. Lehtonen said we don't have an exact price range yet and explained that the demand for new construction is extremely high right now. It is in our best interest to build this out as quickly as possible, while the demand is there. That is our reason to push the Board tonight because we know the conditions are there to get through phase I quickly. If this doesn't get approved tonight we are looking at a spring start and that build out is harder to forecast. The market will ultimately set the price for what we build there.

T. Finan inquired how the lot phasing was tied to the road plan. N. Chamberlin replied that they could conceivably build the entire road and phase the development of the lots, so they are separate. T. Finan then inquired about the purpose of phasing. J. Levandowski said that the phasing chart was put in place shortly after the housing boom in 2007 to minimize any adverse impacts on town services; however, we are extremely down in our building permit numbers. Even if they built out all fifty-four (54) lots, we would still be under the some of the prior norms. She then listed approved subdivisions having available build-outs on West St, Union St and Osgood Rd. J. Langdell gave further clarification that the new phasing schedule was implemented when the

Growth Management Ordinance was repealed. We looked at potential impact to schools, fire, ambulance and roadways. T. Finan said philosophically he has no problem building this out quicker. S. Robinson asked if they could still meet the building window. K. Lehtonen replied that we're on the edge with state permitting but could do a September start.

Chairman Beer opened the hearing for comments or questions from the public.

Audrey Frazier, Milford Conservation Commission, expressed concerns with increasing the number of builds due to the hydrology and steepness on the site. Limiting building on the site would give the land a chance to get familiar with the stormwater. We've had experiences in the past with steep slopes where the stormwater hasn't worked, so by having a few houses at a time, adjustments could be made and the developer could be available to make fixes. C. Beer noted that phase I is the critical area on site. A. Frazier said phase II is also critical and the whole site is steep; this is also dependent on a development agreement. N. Chamberlin reiterated that all drainage construction for the first phase will be in place prior to construction and there will be less runoff, even without the houses being built. The system will be self-contained and built prior to the house construction. There will be plenty of time to address any concerns before the build-out is finished.

Chairman Beer closed the public portion of the meeting.

S. Robinson made a motion to grant a waiver from Development Regulations Article V, Section 5.017 to reduce the phasing from 5 years to 3 years. T. Finan seconded for discussion and the motion was amended to grant a waiver to reduce the phasing from five (5) years to three (3) years with numbers as proposed; 25 lots in year 1, 16 lots in year 2, and 12 lots in year 3. J. Plant, J. Langdell, T. Finan, S. Robinson, and C. Beer voted in the affirmative. S. Duncanson and K. Bauer voted in the negative. The vote carried by 5-2 in favor.

N. Chamberlin said we have been working diligently on this plan and went through several CEI reviews. He then recapped the traffic engineer's scope, studies, analysis and findings from the last meeting. 70% of the traffic will use Boynton Hill Rd and 30% will use Mile Slip Rd; it will follow the break in the grade. All intersections will have stop conditions and the levels of service are all at level A now and in the future, for all conditions. There are no warrants for off-site improvements. The sight distance geometry of the Mile Slip and Mason Road intersection is not perfect but should it be this applicant's task to fix that when we are not making the intersection worse. Also, the geometry of the intersection favors the predominant movement of 30% of the travel. This development is drastically different from the proposed development back in 2005; they are two totally different projects. Steve Pernaw, a well-renown, respected professional stamped this traffic report, so we were a little dumb-founded to see the staff comments regarding off-site improvements.

K. Bauer expressed concern with the amount of traffic once the fifty-two additional lots are built.

S. Duncanson asked if the sight distance was analyzed for the Boynton Hill and Mason Rd intersection and referred to DPW comments. N. Chamberlin replied yes and said the sight distance at all intersections is sufficient and meets your requirements. He also noted that it was not brought up by CEI during their review, so you have three professionals who do not see this as an issue. J. Levandowski added that some of the comments were speaking to past concerns as well as traffic concerns brought up by several abutters, so it would be a disservice to not bring it up for discussion. J. Langdell asked if the town had an estimate on what it would cost to realign that intersection. J. Levandowski replied that one was done back in 2005. J. Langdell said that was ten years ago and if this has been such a concern in the Town of Milford, where is it in our road and highway plan. N. Chamberlin mentioned that it's an easy fix on a flat plan, but in reality there is a substantial grade separation that would have to be addressed.

Chairman Beer opened the hearing for comments or questions from the public on the general application.

P. Amato said this should not be glossed over; these improvements were talked about in 2005 and it shouldn't be a surprise to the applicant. I also have a lot of respect for Steve Pernaw who did both studies. We have an opportunity here and maybe it's not up to this developer to fix the situation, but to put in fifty-four (54) houses and not do any off-site improvements is not the way we've done things in the past. Adding more cars from this

development will not make it any better. The road alignment has been there a very long time and it used to be a yield situation; it's only been a stop sign for several years. This may be an opportune time for the town and developer to work collaboratively to realign that intersection. Maybe they'd like to make a contribution and then maybe the town could take it upon themselves to do the improvements.

S. Lasalle said she is in support of what the applicant has been saying; there are probably only two residents of Mile Slip Rd who make a left turn on a regular basis onto Mason Rd and the only time she has issues is when she can't see around the snow banks in winter from her little car. She finds more of a problem with right turns due to the huge lilac bushes on the corner that block sight distance and that is a landscaping issue is not a road issue. There wouldn't be an issue at all if the town would push the snow banks down. It's more of a common courtesy to stop at a stop sign. K. Lehtonen pointed out, from the traffic study, that there weren't any accidents at this intersection and also if cars could approach that intersection with the prior yield sign, not having to make a complete stop, maybe the sight distance isn't all that bad. We have found that sometimes after an intersection is realigned, there is more work for the drivers to look left and right so personally I'd rather it stay the way it is.

Chairman Beer closed the public portion of the meeting.

S. Duncanson read the DPW and Police comments and said these comments come from town officials that we rely on. J. Langdell noted that those comments were based on the majority of the traffic using Mile Slip Rd and not the split per the traffic report.

N. Chamberlin reviewed:

Staff comments;

We met on site with DPW and most minor details have already been addressed except for the road length and intersection. There is adequate sight distance at that intersection. We met with the Fire Department two times and they are agreeable with the 22ft through road, a 20ft spur road with 2ft gravel shoulders and the gravel road for emergency access to Mile Slip Rd. We are not arguing with the police comments but those improvements shouldn't be thrown onto this developer. We're not tripping the level of service. The Building comments can all be addressed with a development agreement.

Staff Recommendations:

#1 and #2 can be addressed with how we number the lots. We tried to maintain two of the existing parent lots but we can revise the plan to consolidate everything into 45/3 and renumber the lots which would eliminate the need for the additional plan. J. Levandowski explained that there were some discrepancies with the wording and this would address those concerns.

#3 Part of the wetlands were taken from the original survey from the Mitchell Brook application in 2005 so we went back out in April after the snow had gone and determined that the wetlands do cross that lot. The drainage calculations prove that we reduce the flow onto the lot, post construction and detention basin 2 improves the situation drastically. The design is driven by the AoT rules, which are more restrictive than local rules, and the downstream channel protection can't increase the flow or volume for the 2 year storm. We've since taken a closer look at that and now have a flow splitter that diverts part of the water to the detention basin and part keeps going through to keep the existing hydrology in the existing wetland. Also, the 12" CMP culvert will be replaced with a 15" one and that will be an infrastructure improvement for the town. Again, we have extensive detention and infiltration basins to mitigate and treat our flow and explained the details further. J. Langdell noted that staff and CEI, Inc have not yet reviewed the revised plans.

#4 The sight distance comments referred to the existing driveway/future road intersection at Mile Slip Rd and that will be addressed. The other off-site improvements have already been discussed.

#5 All can be addressed by the development agreement or handled with a note on the plan.

#6 We will put together the draft easements and get to staff once we get conditional approval. J. Levandowski clarified that they would not be needed prior to approval, as long as we have a reasonable amount of review time for the appropriate parties. J. Langdell said if the Board is to see them then they must be submitted prior to

conditional approval or know that they are in process of being reviewed. J. Levandowski said ultimately there are a lot of slope and drainage easements that will become the responsibility of the town and we just want to make sure the language is correct.

Conservation Commission memo dated 4/10/15;

N. Chamberlin stated that due to the tightness of the lots at the hammerhead, we prefer a better access point to the open space from the driveway, which also provides access to the detention basin. We plan to construct 600ft of the driveway as part of the wetland crossings. The seeding already is on the 4/15/15 plan. We are not proposing any wetland restoration as there is no hydrology on that slope to support a wetland seed mix. We met with Jodie and she recommend using the Beacon Way subdivision language for the easements.

CEI, Inc. review;

N. Chamberlin clarified that the letter referenced some out of date regulations and ones that don't pertain to this project. He reviewed the two perennial stream crossings and tier rules. The other crossings are only wetlands and all meet the rules. We are confident that we can get approved, as assigned. J. Langdell inquired when they would expect the permits. N. Chamberlin said they will submit once they get conditional approval and we budgeted 90 days for state permits so we are in jeopardy of losing the construction season.

J. Levandowski referenced sheet GR2 (27 of 32) and inquired why the driveway for 45/3-24 is on the neighboring lot with an easement and not coming from the north next to the spur road. N. Chamberlin explained that the road is in a cut with a 20ft change in grade so it's better with an easement.

Chairman Beer re-opened the hearing for comments or questions from the public.

A Frazier inquired about public access to the open space. Will there be parking spots on the driveway or can people park on the roadway? We typically provide parking for the town forests and referenced Shady Lane and Falconer Ave parking that comes off a driveway. J. Langdell asked if the parking spots were part of the town forest land. A. Frazier said yes, but with this easement can someone with an ADA tag park close by and can they get up to that spot? Where will people park? S. Duncanson commented that the Board doesn't usually address this with open space; it's not been brought before us before. K. Bauer said she's not sure if this is a required answer, but we should take into consideration the narrow roads and where this is located. It is a valid question. A. Frazier said it is the considerations. We normally have kiosks at our trail heads and would anticipate one at the end of this driveway. Also, we had requested that the easement language to be similar to the abutting lot. J. Levandowski apologized and noted that the Conservation commission had weighed in on this one but we could look at the two different examples. A. Frazier wanted clarification that the access will be after the wetlands crossing. N. Chamberlin verified that it would, and said we can look at getting a couple of parking spots out there. J. Langdell asked what the scope would be. A. Frazier stated that there were four (4) spaces at Shady Ln and two (2) at Falconer for Mayflower Town Forest and eight to ten (8-10) at Savage Rd for Tucker Brook; however there are no spaces at the Boulder Dr end of the trail and people park along the side of the road.

S. Lasalle added that there is no parking at the other end of Tucker Brook on Whitten Rd and discussion on parking ensued. J. Levandowski said we could explore our options if this is something the applicant is willing to consider; however, this is private property and we can't require it. J. Langdell added that it could be part of the neighborhood building design. C. Beer suggested that the applicant have a discussion with staff and the Conservation Commission to come up with a solution.

Chairman Beer closed the public portion of the meeting.

J. Langdell initiated a discussion pertaining to a possible contribution from the developer for future improvements to the intersection at Mile Slip and Mason Roads. Given all the information before us, is it reasonable to ask this developer who will be building fifty-two (52) additional lots to make a reasonable contribution. In the past, for other commercial areas, we have asked for and received contributions such as the Nashua St sidewalk fund. It helped improve the neighborhood and this is a neighborhood that is part of a larger area. K. Bauer agreed with Janet's concerns. S. Robinson inquired what the developer would be willing to do and said she does see this as an issue. T. Finan said he is torn because it is a problem that exists today and the applicant has shown that they are

not making it worse, but it's a tough question. I wouldn't want them to contribute to anything unless we thought the Town was going to pony up themselves and do something. J. Plant said we have a resident who is telling us this is not a problem. Steve Pernaw, a traffic expert is telling us it's not a problem, yet we've got the town telling us that this problem has existed for a long time. If it's existed for this long, why hasn't the Town stepped up to do something? There are two sides here and I'm not convinced they are making it worse. J. Langdell referenced a town to the west that is re-doing all the old fashioned intersections and making them perpendicular to be safer for travel. C. Beer stated that the Town has known about this for more than ten years. The professionals say the volume of traffic is not going to make it worse and a resident said this is not an issue. J. Langdell added that we have also had other residents bring up these concerns at previous meetings.

K. Lehtonen inquired about the estimate from 2005 and said cost overruns are typical in the construction industry, but this job has been unbelievable with all the different parties involved. All this costs money and affects the affordability of the houses. If there were accidents at that intersection or a real need, he could see contributing, if we knew the amount. J. Levandowski stated that although we don't have any numbers tonight, it has been proven that this should not be the full responsibility of this developer. J. Langdell added that just knowing you are willing to have this discussion, goes a long way. T. Finan asked if there was a list of road improvements from the Traffic Safety Committee or at DPW, and is this intersection on their list. He brought up the Emerson Rd improvements as well as a similar condition at the Melendy and Rte 13 South intersection.

S. Duncanson made a motion to table the application to the 5/19/15 meeting. K. Bauer seconded and all in favor.

The meeting was adjourned at 9:35 p.m. on a motion made by J. Langdell and seconded by S. Duncanson. All were in favor.

**THE MINUTES OF THE APRIL 21, 2015 MEETING WERE APPROVED ON MAY 19, 2015.**

Motion to approve: P. Amato  
Seconded by: J. Langdell